

Remarks

The Office Action mailed on April 16, 2008 has been carefully studied and, in view of the preceding amendments and following remarks, reconsideration and allowance of this application are most respectfully requested.

Claims 1, 2 and 6-15 are currently pending in this application. Claims 4, 5 and 16-43 have been cancelled without prejudice. The Examiner has previously withdrawn claims 9-12, 14, and 16-43 from consideration. The Examiner has rejected claims 1, 2, and 4-7 and has found that claims 8, 13 and 15 would be allowable if re-written in independent form.

Applicants have amended claims 1 and 6-9. Support for the amendments may be found, inter alia, at paragraphs [0053] and [0080]-[0084].

Applicants respectfully request that, upon the allowance of a generic claim, claims directed to non-elected species including all the limitations of the generic claim (i.e., claims 9-12 and 14) be considered, in accordance with 37 C.F.R. § 1.141, and ultimately allowed.

The Examiner has rejected claims 1, 2, and 4-7 under 35 U.S.C. §112, first paragraph, as allegedly not being enabled by the specification. In reference to substituents X and Y, the Examiner stated that “[t]he specification only has support for, e.g., pyrazoles, triazoles, tetrazoles thiazoles, furans, and pyridines.” Although Applicants respectfully disagree with the Examiner’s rejection of these claims for the reasons of record, Applicants have amended the claims according to the Examiner’s suggestion to facilitate prosecution and allowance of the pending application. Applicants respectfully submit that the claims fully comply with the requirements of 35 U.S.C. §112.

Applicants respectfully submit that the pending claims are in condition for allowance and requests that such action be taken. If for any reason the Examiner believes that prosecution

of this application would be advanced by contact with the Applicant's attorney, the Examiner is invited to contact the undersigned at the telephone number below.

Respectfully submitted,
KENYON & KENYON LLP

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